



DOCKET NO. : CHIR-0337

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Antonio Covacci, Massimo Bugnoli, John Telford, Giovanni Macchia, Rino Rappuoli

For:

HELICOBACTER PYLORI CAI ANTIGEN

EXPRESS MAIL LABEL NO: EV 160094039 US
DATE OF DEPOSIT: July 8, 2003



EV160094039US

☐ Mail Stop Patent Application ☐ Mail Stop Design ☒ Mail Stop Sequence Listing

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PATENT APPLICATION TRANSMITTAL LETTER

Transmitted herewith for filing, please find :

- ☐ A Utility Patent Application under 37 C.F.R. 1.53(b).
- ☒ A Utility Patent Application under 37 C.F.R. 1.53(b) as follows:
- ☐ A Continuation of Application No. ____/____.
- ☒ A Divisional of Application No.09/410,835.
- ☐ A Continuation-in-part of Application No. ____/____.
- ☐ A Design Patent Application (submitted in duplicate).

The above-identified application includes the following:

- ☐ A Request for Nonpublication
- ☐ A Specification including claims and abstract on pages 1 to ____
- ☒ A copy of the specification including claims and abstract (pages 1-67) and drawings and appendixes (if any) of earlier application Serial No. 09/410,835 Filed October 1, 1999, to which no new matter has been added. Such earlier application is hereby incorporated into the present application by reference.
- ☐ A copy of the executed oath or declaration filed in the earlier application identified above is attached.
- ☐ An Associate Power of Attorney executed by @@ who is listed in the copy of the executed Declaration and Power of Attorney filed herewith.
- ☐ A Copy of the Power of Attorney with Revocation filed in prior Application No. @@
- ☐ Signed Statement deleting inventor(s) named in the prior application.
- ☐ Please enter the amendment as follows to the specification under the "Cross-Reference to Related Applications" section (or amend the specification to include such a section as the first paragraph):
- ☐ "This application is a continuation/divisional/continuation-in-part [choose one] of @@, filed @@ the entirety of which is incorporated herein by reference." [List others in chain as needed]
- ☐ "This application claims benefit of Provisional Application No. @@, filed @@, the entirety of which is incorporated herein by reference."
- ☒ This application claims foreign priority under 35 U.S.C. § 119 of Application No. FI 92A000052 filed March 2, 1992 in Italy (Country).
- ☒ A Certified Copy of each of the above applications for which priority is claimed:
- ☐ is enclosed.
- ☒ has been filed in prior application Serial No. PCT/EP93/00472 filed March 2, 1993.
- ☒ 14 Sheets of Formal Drawings and/or Photographs.
- ☒ Figure 3 should be published.
- ☐ Petition to Accept Color Photographs is enclosed.

- ☒ A New Unexecuted Declaration or Oath.
- ☐ A New Executed Declaration or Oath and Power of Attorney.
- ☐ An Associate Power of Attorney executed by @@ who is listed in the Executed Declaration and Power of Attorney filed herewith.
- ☐ A newly Executed Assignment or Request to Cross-Reference Earlier Recorded Assignment assigning rights to @@
- ☐ A Recordation Form Cover Sheet.
- ☐ Recordation Fee - \$40.00.
- ☒ A Preliminary Amendment is enclosed .
- ☒ A Sequence listing consisting of pages 1-20.
- ☒ Diskette Containing Sequence Listing is enclosed.
- ☐ The computer readable form in the above-identified application is identical with that filed in Application Serial Number _____, filed _____. In accordance with 37 CFR 1.821(e), please use the sequence listing filed on _____ and received by the PTO on _____ as the computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application.
- ☐ A paper copy of the Sequence Listing:
- ☐ was filed in the above-identified parent application on _____ and received by the PTO on _____ .
- ☐ is included herewith in a separately filed preliminary amendment for incorporation into the specification.
- ☒ A Statement to Support Submission of Sequence Information is enclosed.
- ☐ Information Disclosure Statement including:
- ☐ Form 1449.
- ☐ Copies of References @@-@@ listed on the attached Form PTO-1449
- ☐ A copy of Petition for Extension of Time as filed in the prior case for copendency.
- ☐ Appended Material as follows: _____

☒ Return Receipt Postcard (should be specifically itemized).

FEE CALCULATION:

☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 C.F.R. §1.27 as:

☐ an Independent Inventor

☐ a Small Business Concern

☐ a Nonprofit Organization.

☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)

			SMALL ENTITY		NOT SMALL ENTITY	
			RATE	FEE	RATE	FEE
DESIGN APPLICATION BASE FEE			\$165.00	\$	\$330.00	\$0
UTILITY APPLICATION BASE FEE			\$375.00	\$	\$750.00	\$750.00
UTILITY APPLICATION; ALL CLAIMS CALCULATED AFTER ENTRY OF ALL AMENDMENTS						
	No. Filed	No. Extra				
TOTAL NO. OF CLAIMS	49 - 20 =	29	\$9 each	\$	\$18 each	\$261.00
NO. OF INDEPENDENT CLAIMS	2 - 3 =	0	\$42 each	\$	\$84 each	\$0
MULTIPLE DEPENDENT CLAIM FEE			\$140	\$	\$280	\$280.00
ADDITIONAL FILING FEE				\$		\$
TOTAL FILING FEE DUE				\$		\$1,291.00

☒ A Check is enclosed in the amount of \$1,291.00.

☐ Please charge Deposit Account No. 23-3050 for the filing fee of _____

☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment or charge any deficiency in payment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.

☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.

☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d)

☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

☒ Address all correspondence to:

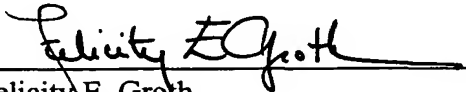
Chiron Corporation
Intellectual Property
PO Box 8097
Emeryville California, 94662-8097
Telephone: 510-923-2708
Facsimile: 510-655-3542

☒ Direct all telephone calls to:

Felicity E. Groth
WOODCOCK WASHBURN LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone No.: (215) 568-3100
Facsimile No.: (215) 568-3439

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: July 8, 2003


Felicity E. Groth
Registration No. 47,042